

# Exhibit 8

THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION

- - -

IN RE: NATIONAL : HON. DAN A.  
PRESCRIPTION OPIATE : POLSTER  
LITIGATION :  
:  
APPLIES TO ALL CASES : NO.  
: 1:17-MD-2804  
:

- HIGHLY CONFIDENTIAL -

SUBJECT TO FURTHER CONFIDENTIALITY REVIEW

- - -

January 9, 2019

- - -

Videotaped deposition of  
JINPING McCORMICK, taken pursuant to  
notice, was held at the offices of  
Kessler Topaz Meltzer & Check, 280 King  
of Prussia Road, Radnor, Pennsylvania,  
beginning at 9:13 a.m., on the above  
date, before Michelle L. Gray, a  
Registered Professional Reporter,  
Certified Shorthand Reporter, Certified  
Realtime Reporter, and Notary Public.

- - -

GOLKOW LITIGATION SERVICES  
877.370.3377 ph | 917.591.5672 fax  
deps@golkow.com

1 Q. On various special projects?

2 A. On various projects, yes.

3 Q. Okay. And were you in the  
4 marketing division?

5 A. Not when I started in that  
6 position.

7 Q. Okay. Which division were  
8 you in when you started?

9 A. I was not in marketing, I  
10 was just in general management.

11 Q. Okay. And when did you  
12 switch over to the marketing department  
13 at AlphaPharma?

14 A. Six months after I started.

15 Q. And what were your  
16 responsibilities in the marketing  
17 department at AlphaPharma?

18 A. I started out as a marketing  
19 manager or product manager.

20 Q. For what products?

21 A. For a selection -- for  
22 wholesale products, a number of them.

23 Q. Do you recall whether any of  
24 those products were opioids?

1           A.       I do not remember specific  
2 products at that -- now, so many years  
3 ago.

4           Q.       Okay. So you don't remember  
5 any of the products that you worked on  
6 when you were at Alpharma?

7           A.       Just at the beginning,  
8 right?

9           Q.       When you were in the  
10 marketing department at Alpharma?

11          A.       Yeah.

12          Q.       Before you were with  
13 Actavis?

14          A.       Right.

15          Q.       You don't remember any of  
16 those products?

17          A.       I remember products. I just  
18 don't remember exactly what the products  
19 are at this moment, because there are so  
20 many products. And more products were  
21 added as I -- as I progressed, because I  
22 have been there for eight years.

23                   THE VIDEOGRAPHER: Excuse me  
24 one second. Can we go off the

1 record for just a moment? Going  
2 off record. The time is 9:19.

3 (Short break.)

4 THE VIDEOGRAPHER: We are  
5 going back on record, beginning of  
6 Media File 2. The time is 9:26.

7 BY MS. BAIG:

8 Q. So what were the various  
9 positions that you held at Alpharma?

10 A. Senior business analyst to  
11 start with, then marketing manager, and  
12 at some time post-Alpharma, the company  
13 became Actavis.

14 Q. And when the company became  
15 Actavis, did that change your  
16 responsibilities at all?

17 A. No.

18 (Document marked for  
19 identification as Exhibit  
20 Allergan-McCormick-1.)

21 BY MS. BAIG:

22 Q. We'll have this document  
23 marked as Exhibit 1.

24 This document is Bates

1 stamped Acquired\_Actavis\_00588522 through  
2 588525. And it appears to be a copy of  
3 your resumé as of August of 2012; is that  
4 right?

5 A. Yes.

6 Q. And is this a true and  
7 correct copy of your resumé and your  
8 accomplishments and positions held as of  
9 that time?

10 A. Appears so.

11 Q. And so here you have that  
12 you were working at Actavis from 2004 to  
13 the -- to the then present, 2012,  
14 correct?

15 A. So I started in 2004 in  
16 Alpharma, then Alpharma became Actavis.  
17 And then I stayed with the company till  
18 the end of 2012.

19 Q. Okay.

20 A. Yes.

21 Q. And where did you go in  
22 2012?

23 A. So at the beginning of 2013  
24 I joined the company called Dr. Reddy's

1 director.

2 What marketing tools did you  
3 do to try to drive those sales of generic  
4 opioid products?

5 MR. MAIER: Objection to  
6 form.

7 THE WITNESS: So generic  
8 sales typically would -- to drive  
9 the growth of generic sales  
10 involves a number of factors.

11 One of them is really  
12 gaining the distribution at  
13 wholesalers, distributors, retail  
14 chains.

15 And second, is by lowering  
16 the cost, working with the  
17 production team. And to gain that  
18 distribution or market share at  
19 our customers require us to, you  
20 know, be a good supplier which  
21 means a good consistent supply, as  
22 well as competitive price.

23 BY MS. BAIG:

24 Q. So, but you were the

1 director of marketing. My question to  
2 you is, what marketing tools did you use  
3 to try to drive sales?

4 We've talked about a few.  
5 We talked about sizzle slides, for  
6 example. We've talked about meetings  
7 that you've had with the customers.

8 What -- we've talked about  
9 -- your use of ad agencies.

10 What other types of tools  
11 did you drive -- did you use to try to  
12 drive sales?

13 A. So --

14 MR. KNAPP: Objection to  
15 form and foundation.

16 MS. VENTURA: Objection to  
17 form.

18 MR. MAIER: Objection to  
19 form.

20 THE WITNESS: So to drive  
21 sales -- the generic marketing  
22 really is different from, if you  
23 were to think about the consumer  
24 goods or the brand marketing.



1                   Generic marketing is so much  
2                   about product management which  
3                   means to supply -- to make the  
4                   medicine available, accessible and  
5                   affordable with good service and  
6                   supply to the customers.

7                   So this notion of  
8                   advertising that drives it is --  
9                   is such a minor component of  
10                  generic marketing.

11       BY MS. BAIG:

12                  Q.       But you did hire an  
13                  advertising agency.

14                  A.       Yeah.   That's why it's a  
15                  small one.

16                  Q.       Okay.   And did you use  
17                  Kadian sales reps to detail generic  
18                  opioids to doctors?

19                             MS. VENTURA:   Objection to  
20                             form.

21                             THE WITNESS:   We did not  
22                             hire the Kadian sales rep to  
23                             detail the generic opioids.

24       BY MS. BAIG:

1 Q. No. Did you use them  
2 though, is my question.

3 A. We --

4 MR. KNAPP: Please just let  
5 the witness finish. I think she  
6 was still answering the question.

7 MS. VENTURA: And objection  
8 to form.

9 THE WITNESS: So we used  
10 them just to make the doctors  
11 aware that generic products on  
12 very select cases was available.  
13 They were not detailing any  
14 benefit of the -- the medicine.

15 BY MS. BAIG:

16 Q. And who trained the Kadian  
17 sales reps on what they were to say about  
18 generic opioids when they were visiting  
19 doctors?

20 A. I mean there was sales team,  
21 there was training from marketing and  
22 legal. I don't remember exactly who  
23 trained them. But they were properly  
24 trained.

1 Q. They were what?

2 A. They were properly trained.

3 Q. Well, were you at the  
4 training?

5 A. I was not.

6 Q. So you weren't involved in  
7 training -- in training the sales reps?

8 A. I was involved in the  
9 material used to train them.

10 Q. What were the materials used  
11 to train them?

12 A. I -- it's really just to let  
13 them know the -- what they could or could  
14 not say. It really was about the  
15 availability of the generic product.

16 Q. And do you know when the  
17 company started using Kadian sales reps  
18 to market generic opioids?

19 MS. VENTURA: Objection to  
20 form.

21 THE WITNESS: It was only on  
22 the very selective cases, like  
23 oxymorphone and the generic  
24 Kadian. So, morphine sulfate.

1 Q. Did you have a general  
2 understanding that sales were increasing  
3 in a significant amount at that time?

4 MR. MAIER: Objection to  
5 form.

6 THE WITNESS: It should be,  
7 because July was launching. When  
8 you launch, this is four-month,  
9 six-month after launch, it should  
10 be increasing.

11 BY MS. BAIG:

12 Q. Okay. And you see a little  
13 bit further down, it states that "the  
14 marketing group is once again utilizing  
15 the Kadian sales force to promote  
16 oxymorphone to pain doctors, as well as  
17 running both direct mail and e-mail  
18 promotional programs in January and  
19 February."

20 Do you see that?

21 A. Yes.

22 Q. And he states, "Our goal is  
23 to continue the growth trend through  
24 2012."

1 Do you see that?

2 A. Yes.

3 Q. And was it your  
4 understanding that the marketing group  
5 was utilizing the Kadian sales force to  
6 promote oxymorphone to pain doctors?

7 MR. MAIER: Objection to  
8 form.

9 THE WITNESS: Yes. I was  
10 aware to promote. I think we want  
11 to clarify that promote, really  
12 just to make it aware of the  
13 availability of this product, as  
14 those marketing material we had  
15 reviewed earlier.

16 BY MS. BAIG:

17 Q. And that -- and you are also  
18 running both direct mail and e-mail  
19 promotional programs, correct?

20 A. Yes. So all of these  
21 programs were just awareness program. It  
22 wasn't promoting the product on any of  
23 the benefits or anything.

24 Q. Did you have an

1 understanding of the addictive qualities  
2 of the product at the time?

3 MR. MAIER: Objection to  
4 form.

5 THE WITNESS: So product  
6 being Schedule II has addictive  
7 potential.

8 BY MS. BAIG:

9 Q. And do you know whether the  
10 Kadian sales force was promoting the  
11 awareness of the addictive qualities of  
12 oxymorphone to pain doctors?

13 MR. MAIER: Object to form  
14 and foundation.

15 MS. VENTURA: Join in the  
16 objection.

17 THE WITNESS: What we asked  
18 Kadian sales force was just  
19 awareness campaign to the doctors,  
20 so they are aware, so they -- the  
21 doctors were aware of the ability  
22 of the generic because the --  
23 because Opana ER was discontinued.

24 BY MS. BAIG: